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August 27, 2021

The Honorable Norman K. Moon
United States District Court
Western District of Virginia
255 West Main Street
Charlottesville, VA 22902

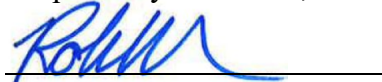
Re: *Sines v. Kessler et al.*, No. 3:17-cv-00072 (NKM)(JCH)

Dear Judge Moon,

We write to bring to Your Honor's attention recent events that may impact the availability of one of Plaintiffs' expert witnesses to testify at trial this October. More specifically, on July 30, President Biden nominated Professor Deborah Lipstadt to serve as the State Department's special envoy to monitor and combat antisemitism, a position that requires confirmation by the Senate. *See* <https://www.whitehouse.gov/briefing-room/statements-releases/2021/07/30/president-biden-announces-intent-to-nominate-and-appoint-leaders-to-serve-in-key-religious-affairs-roles/>. As Your Honor may recall, Professor Lipstadt submitted an expert report in this case (ECF 832, attachment 1) and we had intended to have her testify at trial concerning the symbols and rhetoric used by Defendants at Unite the Right.

Plaintiffs are now seeking to ascertain whether and how this nomination will impact Professor Lipstadt's ability to testify. We will alert the Court and parties as soon as we have received clarification in that regard, including whether we will need to identify another scholar to testify on the same issues instead of Professor Lipstadt.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that on August 27, 2021, I filed the foregoing with the Clerk of Court through the CM/ECF system, which will send a notice of electronic filing to:

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I hereby certify that on August 27, 2021, I also served the following non-ECF participants via mail and electronic mail:

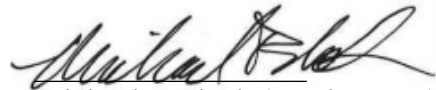
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